



NEWS RELEASE
*Office of the
United States Attorney
for the
District of Nebraska*
Deborah R. Gilg

1620 Dodge Street Suite 1400 Omaha NE 68102-1506 (402) 661-3700

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United States Attorney Deborah R. Gilg announced the federal Grand Jury for the District of Nebraska has returned a number of unsealed indictments. Indictments are charging documents that contain one or more individual counts that are merely accusations, and every defendant is presumed innocent unless and until proven guilty. If you need additional information on any of the following indictments, please telephone Deborah R. Gilg, or in her absence, Criminal Chief, Jan Sharp, at (402) 661-3700.

- * **Stephanie M. Adams**, age 35, of Lincoln, is charged in a one-count indictment. Adams, an employee of the United States Postal Service, is charged in Count I with embezzlement of mail which came into her possession intended to be delivered by the United States mail on or about September 1, 2007. The maximum penalty includes imprisonment of 5 years, a fine of \$250,000, 3 years of supervised release, and a \$100 special assessment.
- * **Jose Manuel Avalos Banderas, also known as Jose Avalos, also known as Gallo**, age 24, of Lincoln, was charged in a one count indictment. The indictment alleges between on or about December 1, 2006, and on or about May 31, 2009, the defendant conspired with others to distribute and possess with intent to distribute 500 grams or more of a mixture

or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.

- * **Jose D. Buenrostro**, age 58, and **Luis A. Trejo-Diaz**, age 39, were charged in a one count indictment. The indictment alleges on or about September 28, 2009, the defendants possessed with intent to distribute more than 500 grams of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.
- * **Luis Chaidez-Chaidez**, age 22, is charged with illegal reentry into the United States on or about October 8, 2009, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, followed by 3 years of supervised release and a \$100 special assessment.
- * **Joshua Don Clement**, age 24, of Grand Island, was charged in a four count indictment. Count I alleges from on or about March, 2009, to May 28, 2009, the defendant possessed a short-barreled shotgun in furtherance of a drug trafficking offense. The maximum possible penalty includes imprisonment of not less than 10 years and up to life to be served consecutive to any other sentence imposed, a \$250,000 fine, a 5 year term of supervised release and a \$100 special assessment. Count II alleges from on or about January, 2008, to September 9, 2009, the defendant conspired with others to distribute and possess with intent to distribute a mixture or substance containing a detectable

amount of marijuana. The maximum possible penalty includes imprisonment of up to 5 years, a \$250,000 fine, a 2 year term of supervised release and a \$100 special assessment. Count III alleges the short-barreled shotgun was involved or used in the knowing commission of the offense set out in Count I and upon conviction of Count I, any and all interest the defendant has in the short-barreled shotgun should be forfeited to the United States. Count IV alleges \$20,445.00 in United States currency seized from defendant was used or intended to be used to commit and/or facilitate a controlled substance violation or is proceeds obtained as a result of the commission of the controlled substance violations set out in Counts I and II and any and all interest the defendant has in the United States currency should be forfeited to the United States.

- * **Francisco Javier Contreras**, age 29, of Whittier, California, was charged in a two count indictment. Count I alleges beginning from an unknown date but at least as early as August 4, 2009, and continuing through August 5, 2009, the defendant conspired with others to distribute and possess with intent to distribute more than one kilogram of a mixture or substance containing a detectable amount of heroin. The maximum possible penalty includes imprisonment of at least 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment. Count II alleges on or about August 5, 2009, the defendant possessed with intent to distribute more than one kilogram of a mixture or substance containing a detectable amount of heroin. The maximum possible penalty includes imprisonment of at least 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.

- * **Amador Contreras-Rodriguez**, age 36, of Grand Island, is charged with illegal reentry into the United States on or about October 4, 2009, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, followed by 3 years of supervised release and a \$100 special assessment.
- * **Cristobal M. Cotto**, age 26, of Chicago, Illinois, was charged with possession of cocaine on or about July 26, 2009. The maximum possible penalty includes imprisonment of not more than 1 year, not less than a \$1,000 fine, a 1 year term of supervised release and a \$100 special assessment.
- * **Christopher Day**, also known as **Chuck**, age 36, **Roseann Crisman**, age 44, **Jennifer Woody**, age 42, **James E. Gibson**, age 37, **Felix Alarcon**, also known as **Gato**, age 32, all of Omaha, were charged in a nine count indictment. The indictment alleges from an unknown date but at least as early as on or about January, 2009, and continuing through on or about September 23, 2009, the defendants conspired with others to distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment. Counts II, III, and IV allege on or about July 29, 2009, and August 12, 2009, Day and Crisman distributed less than 50 grams of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty for each count includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment. Count V

alleges on or about September 10, 2009, Day and Crisman possessed with intent to distribute 5 grams or more of actual methamphetamine. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Counts VI, VII, and VIII, allege on or about July 8, 2009, July 9, 2009, and July 14, 2009, Gibson distributed less than 50 grams of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty for each count includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment. Count IX alleges the \$2,883.00 in United States currency seized on September 23, 2009, was used or intended to be used to commit and to facilitate the drug offense set out in Count I and any and all interest Day has in the United States currency should be forfeited to the United States.

- * **Sammy R. England**, age 68, of Lincoln, is charged in a one-count indictment. Count I of the indictment alleges from between on or about June 1, 2007, to on or about January 31, 2009, England stole premiums that were paid for the employee SIMPLE IRA Plan, an employee pension benefit plan. It is alleged England collected employee payroll deductions for his personal benefit and the benefit of A Better Glass Company, Inc., (ABG). The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.
- * **Joseph Walker Foster**, age 27, of Omaha, is charged in Count I of an indictment with being a felon in possession of a firearm on or about July 27, 2009. Foster was convicted of two burglaries in 1999 and attempted possession with intent to deliver a controlled

substance in 2004. The maximum possible penalty for this count includes imprisonment of 10 years, a fine of \$250,000, supervised release of 3 years, and a special assessment of \$100. Count II of the indictment alleges the firearm possessed by Foster should be forfeited to the United States.

- * **Juan Carlos Garcia-Jimenez**, age 24, of Omaha, was charged in a four count indictment. Count I alleges from an unknown date but at least as early as September 1, 2009, and continuing through September 10, 2009, the defendant conspired with others to distribute and possess with intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of at least 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Counts II and III allege on or about September 1, 2009, and September 2, 2009, the defendant distributed less than 50 grams of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty for each count includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment. Count IV alleges \$1,232.00 in United States currency seized from the defendant on September 10, 2009, was used or intended to be used to commit and to facilitate the drug offenses set out in Counts I and II and any and all interest the defendant has in the United States currency should be forfeited to the United States.

- * **Francisco Garcia-Saldana**, age 22, is charged with illegal reentry into the United States on or about September 17, 2009, after deportation or removal. The maximum possible penalty includes imprisonment of 2 years, a \$250,000 fine, a 1 year term of supervised

release and a \$100 special assessment.

- * **Lamont Gillham**, age 37, of Wood River, Nebraska, is charged in a two-count indictment. Count I of the indictment alleges that between on or about March 1, 2007, and on or about May 31, 2007, Gillham, a dentist with Emergency Dental, Omaha, Nebraska, caused false statements and representations to be made in applications for benefits and payments under a federal health care program, for which payment was made by Nebraska Medicaid. Gillham was excluded from participation in a health care program, including but not limited to Medicaid, for a period of five years, beginning September 20, 2005, based on a felony conviction in Virginia for a crime related to theft from a health care program. The maximum possible penalty for this count includes imprisonment of 5 years, a fine of \$250,000, supervised release of 3 years, and a special assessment of \$100. Count II of the indictment charges Gillham with health care fraud from on or about March 1, 2007, until on or about May 31, 2007. The maximum possible penalty for this count includes imprisonment of 10 years, a fine of \$250,000, supervised release of 3 years, and a special assessment of \$100.
- * **Edna M. Heft**, age 59, and **Ronald E. Heft**, age 62, both of Columbus, Nebraska, are charged in a four-count indictment. Count I of the indictment alleges that from on or about March 1, 1997, and continuing to on or about July 31, 2009, Edna M. and Ronald E. Heft, wife and husband, conspired to defraud the Social Security Administration (SSA) by falsely representing through statements to the SSA that they were legally separated and that they did not own any real estate or property. The maximum possible penalty for this Count is imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a

\$100 special assessment. Count II of the indictment charges that on or about October 3, 2008, Edna M. Heft made a false statement on her Statement for Determining Continuing Eligibility for SSI Payments by stating she lived alone, when in fact, her husband lived in her household during the time frame covered by the report. The maximum possible penalty for this Count is 5 years imprisonment, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count III of the indictment alleges that on or about October 3, 2008, Edna M. Heft made a false statement that she lived alone for use by SSA in determining her rights to Social Security Supplemental Security Income payments. The maximum possible penalty for this Count is 10 years imprisonment, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count IV of the indictment charges Ronald E. Heft with SSI Fraud on or about October 1, 2008. Ronald E. Heft stated on a Statement for Determining Continuing Eligibility for SSI Payments that he had not lived with his wife, Edna M. Heft, for 10-12 years, when in fact, he well knew that he had not been legally separated or living apart. The maximum possible penalty for this Count is 5 years imprisonment, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.

* **Manuel Hernandez-Rodriquez**, age 28, is charged with illegal reentry into the United States on or about October 9, 2009, following deportation as a felon. The maximum possible penalty is 10 years imprisonment, a \$250,000 fine, a 3 year term of supervised release, and a \$100 special assessment.

* **Sheri Hirsh**, age 37, of Omaha, is charged with two counts of providing false statements to the Department of Housing and Urban Development on or about April 3, 2008 and

April 5, 2007. In Count I it is alleged Hirsh wrote a false statement saying the only members of her household were herself and a daughter and that no member of the household had any income from employment when, in fact, an adult male also resided with the defendant and had income from employment. In Count II Hirsh wrote a false statement saying the only members of her household were herself and two daughters, and only she had income from employment when, in fact, an adult male resided with the defendant and also had income from employment. The maximum penalty for these counts includes 5 years imprisonment, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.

- * **Megan A. Lemanton**, age 23, was charged in a two count indictment. Count I alleges from an unknown date but at least as early as July, 2009, and continuing through on or about August 17, 2009, the defendant conspired with others to distribute and possess with intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of at least 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Count II alleges on or about August 6, 2009, the defendant distributed less than 50 grams of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment.

- * **Marcus Ray Leonard**, age 38, of Omaha, is charged in Count I of an indictment with being a felon in possession of a firearm on or about August 29, 2009. Leonard was

convicted of burglary in 1999. The maximum possible penalty for this count includes imprisonment of 10 years, a fine of \$250,000, supervised release of 3 years, and a special assessment of \$100. Count II of the indictment alleges the firearm possessed by Leonard should be forfeited to the United States.

- * **Jose Lopez-Aispuro**, age 23, of Omaha, was charged with possessing with intent to distribute 50 grams or more of methamphetamine on or about September 30, 2009. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.
- * **Jose Tomas Lopez-Rendon**, age 33, was charged in a three count indictment. Count I alleges beginning from an unknown date but at least as early as June, 2009, and continuing through September 22, 2009, the defendant conspired with others to distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of at least 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment. Count II alleges on or about September 22, 2009, the defendant possessed with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of at least 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment. Count III charges defendant with illegal reentry into the United States on or about September 22, 2009, after deportation or removal following a conviction for an aggravated felony. The maximum possible penalty includes imprisonment of up to 20 years, a \$250,000 fine, 3

years of supervised release and a \$100 special assessment.

- * **Marcos Lopez-Rodriguez**, age 34, is charged with illegal reentry into the United States on or about February 28, 2009, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, followed by 3 years of supervised release, and a \$100 special assessment.
- * **Enrique Lucero-Cruz**, age 43, is charged with illegal reentry into the United States on or about September 10, 2009, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, followed by 3 years of supervised release, and a \$100 special assessment.
- * **Tracy Nowland**, age 48, of Walthill, Nebraska, is charged with assault causing serious bodily harm on or about August 7, 2009. The maximum penalty includes imprisonment of 10 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100.
- * **Rodrigo Pachilano-Martinez**, age 31, is charged with illegal reentry into the United States in October, 2009, following deportation as a felon. The maximum possible penalty is 10 years imprisonment, a \$250,000 fine, a 3 year term of supervised release, and a \$100 special assessment.
- * **Chad A. Powers**, age 35, of Phoenix, Arizona, is charged in a one-count indictment. Count I alleges that from on or about March 3, 2009, until on or about March 14, 2009, Powers accessed a protected computer and caused an invasion of privacy and intentional

infliction of emotional distress. The maximum possible penalty for this count includes imprisonment of 5 years, a fine of \$250,000, supervised release of 3 years, and a special assessment of \$100.

- * **Guillermo Rendon-Sierra**, age 21, of Omaha, is charged in Count I of an indictment with being a felon in possession of a firearm on or about June 28, 2009. The maximum possible penalty for this count includes imprisonment of 10 years, a fine of \$250,000, supervised release of 3 years, and a special assessment of \$100. Count II of the indictment alleges the firearm possessed by Rendon-Sierra should be forfeited to the United States.
- * **Joel Reynoso-Valle**, age 41, is charged with illegal reentry into the United States on or about October 13, 2009, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, followed by 3 years of supervised release, and a \$100 special assessment.
- * **Hector N. Cervantes Rivera, also known as Jose Cervantes Rivera**, age 25, and **Brian Darell Ziems**, age 35, both of Lincoln, were charged in a one count indictment. The indictment alleges between on or about November 1, 2007, and on or about March 31, 2009, the defendants conspired with others to distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.

- * **Fernando Romero-Astudillo**, age 35, is charged with illegal reentry into the United States on or before February 26, 2009, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release and a \$100 special assessment.
- * **Traves Lamont Rush**, age 26, and **Marcus Lamar Short**, age 20, both of Omaha, are charged with bank robbery of TierOne Bank in Lincoln on or about October 6, 2008. The maximum possible penalty, if convicted, includes 20 years imprisonment, a fine of \$250,000, a 3 year term of supervised release, and a \$100 special assessment.
- * **Ruben Torres**, age 18, of Omaha, **Connie Flores Sanchez**, age 21, of Glendale, Arizona, and **Silvestre Sanchez-Garcia**, age 27, of Avondale, Arizona, were charged in a two count indictment. Count I alleges on or about September 22, 2009, the defendants possessed with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment. Count II alleges the \$25,180.00 in United States currency seized from Don Carlos Trapp on September 24, 2009, was used or intended to be used to commit and to facilitate the drug offense set out in Count I and any and all interest the defendants have in the United States currency should be forfeited to the United States.
- * **Jonathan Valentine**, age 30, of Omaha was charged in a two count indictment. Count I alleges on or about September 8, 2009, the defendant possessed with intent to distribute 5 grams or more of a mixture or substance containing a detectable amount of crack cocaine.

The maximum possible penalty includes imprisonment of at least 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Count II alleges the \$919.00 in United States currency seized was used or intended to be used to commit and to facilitate the drug offense set out in Count I and any and all interest the defendant has in the United States currency should be forfeited to the United States.

- * **Marco Zavala-Moreno**, age 32, is charged in a three-count indictment. Count I of the indictment charges Zavala-Moreno with illegal reentry into the United States on or about July 26, 2009, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, a 3 year term of supervised release, and a \$100 special assessment. Count II of the indictment charges Zavala-Moreno with possession of a firearm by an illegal alien on or about July 26, 2009. The penalty for this count includes imprisonment of 10 years, a fine of \$250,000, a 3 year term of supervised release, and a special assessment of \$100. Count III of the indictment alleges the firearm possessed by Zavala- Moreno should be forfeited to the United States.